

APR 12 2019

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CENTRAL DISTRICT OF CALIFORNIA
DEPUTY

Phillip Rosenblum
Plaintiff

Case #: 8:18-cv-00966 JVS(E)

VS.

Joseph Blackstone, et al.
Defendants

NOTICE AND REQUEST FOR
SUBSTITUTION OF PARTIES;
JOHN DOE #4 TO BE REPLACED BY
DEPUTY MOON AND JOHN DOE #5
TO BE REPLACED BY SGT. VILLO

I Phillip J. Rosenblum declare as follows:

1. On ~~March 27, 2019~~ Mar. 27, 2019, Plaintiff received documents and response from defendants, that "Sgt. Villo" was in receipt of Plaintiff's grievance concerning his ~~grievance~~ complaint he ~~was~~ had been forced to house with multiple known enemies in the main jail and his request to be re-housed back in the protective J-mod. ~~Plaintiff's grievance concerning his complaint he was forced to house with multiple known enemies in the main jail and his request to be re-housed back in the protective J-mod.~~ This was the grievance Plaintiff had filed ~~on~~ on July 3, 2017. Defendants indicated that they had no record of ~~any~~ any filed grievance on July 2, 2017. Both defendants currently being served, service of process, in this matter from the second amended complaint John Doe #4, and John Doe #5, are from recklessly disregarding Plaintiff's grievances ~~he~~ filed on these two days of July 2, 2017 and July 3, 2017 (See Second Amended Complaint at Paragraphs Four). Plaintiff's records indicate he personally gave ~~the~~ a Declaration to substitute parties

1 grievance to Dep. Moon, to deliver to his supervisor for filing
2 and review on July 2, 2017 (this was a duplicate version of
3 the grievance he submitted on July 3, 2017). ~~XXXXXXXXXX~~
4 Apparently then Dep. Moon did not submit this grievance to
5 his supervisor (unless discovery will reveal otherwise) or
6 they would have had a record of this (Plaintiff was under
7 the previous impression Dep. Moon had properly submitted
8 this grievance for review). Thus now it is known the
9 facts behind the identities of these individuals and
10 therefore substitution of John Doe # 4 for Deputy Moon
11 and substitution of John Doe # 5 for Sgt. Villa is now
12 proper in this matter.

13
14 2. Plaintiff ^{manifests this notice} ~~XXXXX~~ and request for substitution
15 of parties is proper based upon federal case law he's
16 reviewed (See Day v. Ryan 2018 U.S. Dist Lexis ~~XXXXXX~~
17 59296 and see Picozzi v. Clark Cnty. Det. Ctr 2017 U.S. Dist
18 Lexis 37896). This was determined after Plaintiff
19 reviewed Fed. R. Civ. P. 15, 21, and 25, ~~XXXXXX~~ the
20 relevant and related procedures regarding adding, dropping
21 and substitution of parties. Plaintiff performed this
22 research after receiving notice of the identifying
23 documents and facts behind the two John Doe's
24 from July 2, and July 3, 2017. Thus this request is
25 timely filed.

26
27 3. If appropriate Plaintiff would also request
28 service of process of summons, second amended complaint
Declaration to substitute parties

1 and an order to be done by this court directing service of
2 process by the U.S. Marshall on these two now
3 identified defendants, Sgt. Villa and Dep. Moon.

4
5 I declare under penalty of perjury that the
6 foregoing is true and correct. Executed at Carceran
7 California on Apr. 8, 2019

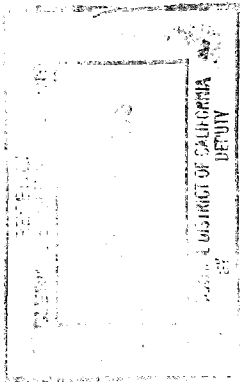
8 Phil J. Rose
9 Phillip Rosenblum

Philip Rosenberg BP-0331, 30-5-235

Corcoran State Prison

P.O. Box 3461

Corcoran C.P. 93217



Attn: Clerk of Court

United States District Court

Central District of California

255 E. Temple St. Room 1800

Los Angeles CA. 90012

FILED

MAILED

FBI MAIL

11/15/17 + 11/16/17